



#4

**ATTORNEY DOCKET NO.: 2001534-0017 (CIP)**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

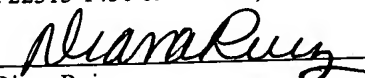
Applicant:	Silver, <i>et al.</i>	Examiner:	Not Yet Assigned
Serial No.:	10/039,448	Art Unit:	Not Yet Assigned
Filing Date:	November 09, 2001		
Title:	Method for Making An Epitaxial Germanium Temperature Sensor		

MS Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**CERTIFICATE OF MAILING**

I hereby certify that the foregoing documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, "Post Office to Addressee", in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 15, 2004.

  
Diana Ruiz

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION**  
**UNDER 37 CFR §1.137(b)**

The above-referenced application was abandoned on April 25, 2002 for failure to timely respond to the Notice to File Missing Parts mailed February 25, 2002. The entire delay from the abandonment date to the date of this petition was unintentional. Applicant hereby petitions for revival of this application.

This petition is filed within three months from the April 15, 2004 mailing date of a Notice of Abandonment in the above-referenced application.

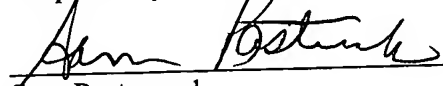
The executed Declaration in response to the Notice to File Missing Parts dated February 25, 2002 is submitted herewith. This petition is also accompanied by the small entity petition fee of \$665.00 set forth in 37 CFR §1.17(m) for an unintentionally abandoned application.

Please charge any other fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

06/18/2004 JADD01 00000051 10039448  
01 FC:2453 665.00 0P

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
(617) 248-5000  
Date: June 15, 2004

Respectfully submitted,

  
Sam Pasternack  
Registration No. 29,576



\$3000

**ATTORNEY DOCKET NO.: 2001534-0017 (CIP)**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Silver, *et al.* Examiner: Not Yet Assigned  
Serial No.: 10/039,448 Art Unit: Not Yet Assigned  
Filing Date: November 09, 2001  
Title: Method for Making An Epitaxial Germanium Temperature Sensor

MS Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**RECEIVED**

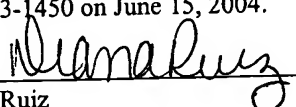
**JUN 22 2004**

**OFFICE OF PETITIONS**

Sir:

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I hereby certify that the foregoing documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, "Post Office to Addressee", in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on June 15, 2004.

  
Diana Ruiz

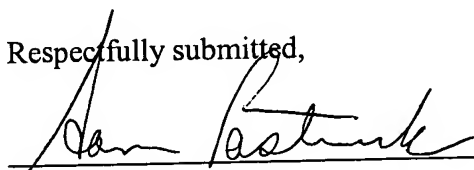
**TRANSMITTAL**

Enclosed herewith for filing please find:

1. Copy of Notice of Abandonment Under 37 C.F.R. 1.53 (f) or (g) (2 pgs.);
2. Petition to Revive Unintentionally Abandoned Application Under 37 C.F.R. § 1.137(b) (1 pg.);
3. Check in the amount of \$665.00 to cover the petition fee for a small entity;
4. Copy of Notice to File Missing Parts (2 pgs.);
5. Executed Declaration (5 pgs.);
6. Check in the amount of \$65 to cover the late filing fee for the Declaration; and
7. Return-Receipt Postcard.

Please charge any fees associated with this filing, or apply any credits, to our Deposit Account No. 03-1721.

Respectfully submitted,

  
Sam Pasternack

Registration Number 29,576

Choate, Hall & Stewart  
Exchange Place  
53 State Street  
Boston, MA 02109  
Phone: (617) 248-5000  
Fax: (617) 248-4000  
Dated: June 15, 2004



## Notice of Abandonment

This application is abandoned in view of applicant's failure to timely file a proper reply to the Office  
Notice mailed on 2/25/02.

### Petition to Withdraw the Holding of Abandonment

If a complete reply to the notice was previously filed by applicant within the time period set forth in the notice, applicant may request for reconsideration of the holding of abandonment within **2 months** from the mailing of this notice of abandonment by filing a petition to withdraw the holding of abandonment under 37 CFR 1.181(a). No petition fee is required. The petition must be accompanied by a true copy of the originally filed reply and the item(s) identified in one of the following:

1. A properly itemized date-stamped postcard receipt (see MPEP § 503);
2. If the originally filed reply included a certificate of mailing or transmission in compliance with 37 CFR 1.8(a), a copy of the certificate of mailing or transmission and a statement in compliance with 37 CFR 1.8(b) (see MPEP § 512); or
3. If the reply was filed via Express Mail, a submission satisfying the requirements of 37 CFR 1.10(e) including, for example, a copy of the Express Mail mailing label showing the "date-in" (see MPEP § 513).

Any petition to withdraw the holding of abandonment should be transmitted by facsimile directly to OIPE Customer Service at (703) 308-7751.

### Petition to Revive an Abandoned Application

If applicant did not previously file a complete reply within the time period set forth in the notice, applicant may file a petition to revive the application under 37 CFR 1.137.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of UNAVOIDABLE DELAY must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by:

1. an adequate showing of the cause of unavoidable delay;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(i); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/61.

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of UNINTENTIONAL DELAY must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by:

1. a statement that the entire delay was unintentional;
2. the required reply to the above-identified notice;
3. the petition fee set forth in 37 CFR 1.17(m); and
4. a terminal disclaimer if required by 37 CFR 1.137(d).

See MPEP § 711.03(c) and Form PTO/SB/64.

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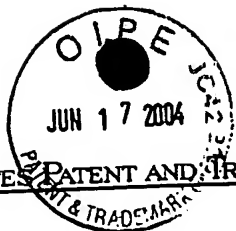
Any questions concerning petitions to revive should be directed to Office of Petitions at (703) 305-9282.

Any questions regarding this notice should be directed to OIPE Customer Service at (703) 308-1202.

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Customer Service Center

Initial Patent Examination Division (703) 308-1202



RECEIVED

JUN 22 2004

UNITED STATES PATENT AND TRADEMARK OFFICE

*SPECIAL*

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/039,448	11/09/2001	Eric H. Silver	2001534-0017(CIP)

CONFIRMATION NO. 6091

ABANDONMENT/TERMINATION  
LETTER

\*OC000000012371408\*

Sam Pasternack, Esq.  
Choate, Hall & Stewart  
53 State Street  
Exchange Place  
Boston, MA 02109

*Petition to Revoke*

**Docketed**  
**Due** 7-15-04

Date Mailed: 04/15/2004

## NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 02/25/2002.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

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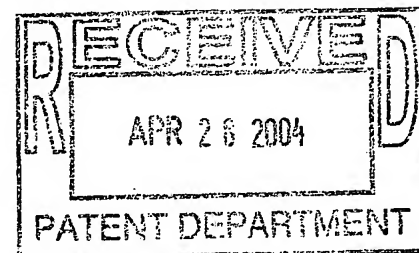
*A copy of this notice MUST be returned with the reply.*

*[Signature]*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY



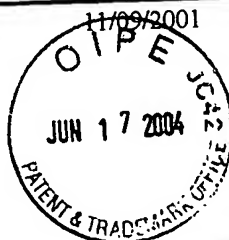


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
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10/039,448	11/09/2001	Eric H. Silver	2001534-0017(CIP)

Sam Pasternack, Esq.  
 Choate, Hall & Stewart  
 53 State Street  
 Exchange Place  
 Boston, MA 02109



JUN 22 2004

OFFICE OF PETITIONS

CONFIRMATION NO. 6091  
 ABANDONMENT/TERMINATION  
 LETTER



\*OC000000012371408\*

Date Mailed: 04/15/2004

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*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

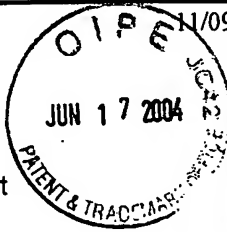
PART 2 - COPY TO BE RETURNED WITH RESPONSE



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/039,448	11/09/2001	Eric H. Silver	2001534-0017(CIP)

Sam Pasternack, Esq.  
Choate, Hall & Stewart  
53 State Street  
Exchange Place  
Boston, MA 02109

DONE BY 1/27	
<input type="checkbox"/> Data Entry	
<input checked="" type="checkbox"/> Docket Entry	4/25; 8/25/02
<input type="checkbox"/> Docket Crossover	
<input type="checkbox"/> Previously Entered	
<input type="checkbox"/> No Docketing Required	
<input type="checkbox"/> CPI Annuity	

CONFIRMATION NO. 6091

FORMALITIES LETTER



\*OC000000007525106\*

Date Mailed: 02/25/2002

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/18/2004 JADD01 00000051 10039448

02 FC:2051

65.00 OP

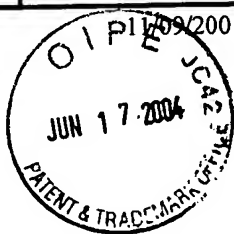


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COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/039,448	JUN 17 2001	Eric H. Silver	2001534-0017(CIP)

Sam Pasternack, Esq.  
Choate, Hall & Stewart  
53 State Street  
Exchange Place  
Boston, MA 02109



CONFIRMATION NO. 6091

## FORMALITIES LETTER



\*OC000000007525106\*

Date Mailed: 02/25/2002

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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY